

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 1 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: **Gaudia E Spence
Rowan Bowen**

Case No.: **19-19601**

Judge: _____

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS - AMENDED

☐ Original
☐ Motions Included

☐ Modified/Notice Required
☒ Modified/No Notice Required

Date: **July 15, 2020**

**THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.**

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☒ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney JV Initial Debtor: GES Initial Co-Debtor RB

Part 1: Payment and Length of Plan

a. The debtor shall pay 400.00 Monthly* to the Chapter 13 Trustee, starting on August 1, 2020 for approximately 57 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
- ☒ Other sources of funding (describe source, amount and date when funds are available): Contribution from co-debtor's son.

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property
Description:
Proposed date for completion: _____
- ☐ Refinance of real property:
Description:
Proposed date for completion: _____
- ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:
Gaudia Spence passed away on April 10, 2020.

Part 2: Adequate Protection

☒ NONE

a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
James F. Vislosky Jr.	Attorney Fees	2,805.00
IRS	Taxes and certain other debts	3,060.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

- ☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C. 1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Servicing	7 Whitman Avenue East Orange, NJ 07017 Essex County	11,281.24	0.00	11,281.24	1,703.82

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ■ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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f. Secured Claims Unaffected by the Plan ■ NONE

The following secured claims are unaffected by the Plan:

Creditor

g. Secured Claims to be Paid in Full Through the Plan ■ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
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Part 5: Unsecured Claims ■ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ ___ to be distributed *pro rata*
- ☐ Not less than ___ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ■ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Santander Consumer USA	336.98	Agreement, Auto loan Monthly payments: \$278.75	Arrearage: \$336.98. 38-month cure. per month through the plan.	8.87

Part 7: Motions ☒ **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ■ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ■

NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages

- 5) Priority Claims
6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 5/10/2019.

Explain below why the plan is being modified:	Explain below how the plan is being modified:
Death of Gaudia Spence	Restart payments, omitting payments for May, June, and July 2020.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☒ Explain here:

*This plan is a step plan or has lumpsum payments as follows: \$400.00 per month for 2 months, then \$525.00 per month for 9 months, then \$325.00 per month for 46 months

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: _____ Deceased
Gaudia E Spence
Debtor

Date: 07/14/2020 /s/ Rowan Bowen
Rowan Bowen
Joint Debtor

Date: 7-15-20 [Signature]
James F. Vislosky Jr.
Attorney for the Debtor(s)

Certificate of Notice Page 7 of 8

United States Bankruptcy Court
District of New JerseyIn re:
Gaudia E Spence
Rowan Bowen
DebtorsCase No. 19-19601-SLM
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 51

Date Rcvd: Jul 22, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 24, 2020.

db/jdb
518239183 +Gaudia E Spence, Rowan Bowen, 7 Whitman Avenue, East Orange, NJ 07017-5017
+Comprehensive Pulmonary & Critical Care, 96 Millburn Ave., Suite 200A,
Millburn, NJ 07041-1941

518398325 +East Orange Water Commission, 99 S Grove St, East Orange, NJ 07018-4108
518318365 +East Orange Water Commission, Customer Service Center, 99 South Grove Street,
East Orange NJ 07018-4108

518239187 First Premier Bank, PO Box 5524, Sioux Falls, SD 57117-5524
518239188 +IC System, Inc., PO Box 64378, Saint Paul, MN 55164-0378
518239189 IC System, Inc., PO Box 64437, Saint Paul, MN 55164-0437
518239194 New Jersey Imaging Network, 27695 Network Place, Chicago, IL 60673-1276
518239196 +New Jersey Insurance Underwriting Assoc., PO Box 32609, Newark, NJ 07102-6609
518318366 +PSE&G Co, PO Box 14444, New Brunswick NJ 08906-4444
518239198 +Professional Recovery Consultants LLC, 2700 Meridian Parkway, Suite 200,
Durham, NC 27713-2450

518239199 Resurgent Capital Services, PO Box 510090, Livonia, MI 48151-6090
518239200 Santander Consumer USA, Attn: Bankruptcy Dept, PO Box 560284, Dallas, TX 75356-0284
518239201 +Specialized Loan Servicing, 8742 Lucent Blvd., Suite 300, Highlands Ranch, CO 80129-2386
518355318 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,
Highlands Ranch, Colorado 80129-2386

518239202 St. Barnabas Emergency Medical Associate, PO Box 6251, Parsippany, NJ 07054-7251

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg

E-mail/Text: usanj.njbankr@usdoj.gov Jul 23 2020 00:27:21 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Jul 23 2020 00:27:18 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235

cr +E-mail/PDF: gecsedirecoverycorp.com Jul 23 2020 00:22:57
Synchrony Bank c/o PRA Receivables Management, LLC, PO BOX 41021, Norfolk, VA 23541-1021

518239180 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:26:09 Amerimark, 6864 Engle Road,
Cleveland, OH 44130-7910

518299474 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:26:09 Amerimark,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849

518299451 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:28:09 Ashro Lifestyle,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849

518322505 +E-mail/Text: bnc@atlasacq.com Jul 23 2020 00:26:34 Atlas Acquisitions LLC, 294 Union St.,
Hackensack, NJ 07601-4303

518341560 E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 23 2020 00:22:09
CW Nexus Credit Card Holdings 1, LLC, Resurgent Capital Services, PO Box 10368,
Greenville, SC 29603-0368

518239181 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 23 2020 00:27:05 Comenity Bank,
PO Box 182273, Columbus, OH 43218-2273

518239182 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 23 2020 00:27:06 Comenity Capital Bank,
PO Box 183003, Columbus, OH 43218-3003

518239184 +E-mail/Text: solutions@cafcu.org Jul 23 2020 00:27:42 Corporate America Family Credit Union,
1707 N. Randall Road, Suite 1C8, Elgin, IL 60123-9410

518271350 +E-mail/Text: solutions@cafcu.org Jul 23 2020 00:27:42 Corporate America Family Credit Union,
2075 Big Timber Rd, Elgin IL 60123-1140

518239185 E-mail/PDF: creditonebkn notifications@resurgent.com Jul 23 2020 00:35:12 Credit One Bank,
PO Box 98873, Las Vegas, NV 89193-8873

518299472 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:26:09 Dr Leonards Shop Now,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849

518239186 E-mail/Text: bnc-bluestem@quantum3group.com Jul 23 2020 00:27:52
Fingerhut Credit Account Services, PO Box 1250, Saint Cloud, MN 56395-1250

518299456 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:28:09 Ginny's,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849

518239190 E-mail/Text: sbse.cio.bnc@mail@irs.gov Jul 23 2020 00:26:53 IRS, PO Box 7346,
Philadelphia, PA 19101-7346

518318984 E-mail/Text: JCAP_BNC_Notices@jcap.com Jul 23 2020 00:27:34 Jefferson Capital Systems LLC,
Po Box 7999, Saint Cloud Mn 56302-9617

518239191 +E-mail/Text: JCAP_BNC_Notices@jcap.com Jul 23 2020 00:27:34 Jefferson Capital,
PO Box 772813, Chicago, IL 60677-0113

518299459 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:26:10 K. Jordan,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849

518246941 E-mail/PDF: resurgentbkn notifications@resurgent.com Jul 23 2020 00:35:20 LVNV Funding, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

518299471 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:26:10 Mason,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849

518239192 E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 23 2020 00:22:10 Merrick Bank,
PO Box 660175, Dallas, TX 75266-0175

518239193 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 23 2020 00:27:17 Midland Credit Management,
2365 Northside Drive, Suite 300, San Diego, CA 92108-2709

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 51

Date Rcvd: Jul 22, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

518318263 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 23 2020 00:27:17 Midland Funding LLC,
PO Box 2011, Warren, MI 48090-2011
518299453 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:28:09 Midnight Velvet,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849
518299452 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:28:09 Montgomery Ward,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849
518239195 E-mail/Text: payments@brsi.net Jul 23 2020 00:28:01 New Jersey Imaging Network LLC,
c/o Business Revenue Systems Inc., PO Box 13077, Des Moines, IA 50310-0077
518239197 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 23 2020 00:35:12
Portfolio Recovery Associates LLC, 120 Corporate Blvd, Norfolk, VA 23502
518351263 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 23 2020 00:34:35
Portfolio Recovery Associates, LLC, c/o Blair, POB 41067, Norfolk VA 23541
518316734 +E-mail/Text: JCAP_BNC_Notices@jcap.com Jul 23 2020 00:27:34 Premier Bankcard, LLC,
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
518299454 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:28:09 Seventh Avenue,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849
518299470 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2020 00:26:10 Stoneberry,
C/O Creditors Bankruptcy Service, PO Box 800849, Dallas, TX 75380-0849
518240826 +E-mail/PDF: gecsedirecoverycorp.com Jul 23 2020 00:22:34 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
518343684 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 23 2020 00:34:46 Verizon,
by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
TOTAL: 35

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 24, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 21, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor SPECIALIZED LOAN SERVICING, LLC
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
James F. Vislosky, Jr. on behalf of Joint Debtor Rowan Bowen jvislosky@rrkklaw.com
Jonathan Kohn on behalf of Joint Debtor Rowan Bowen lawyers@rrkklaw.com, lawyers@rrkklaw.com
Jonathan Kohn on behalf of Debtor Gaudia E Spence lawyers@rrkklaw.com, lawyers@rrkklaw.com
Kevin Gordon McDonald on behalf of Creditor SPECIALIZED LOAN SERVICING, LLC
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7